

Wallace Yard and Spur Lines Site - schedule for RAD Drawings Wurtzler, Gail

to:

Clifford Villa

02/09/2009 12:19 PM

Cc:

Darrell.Early, "Lawrence, Robert", RCBYLSMA, GLHONEYM, "Gibson, Rebecca", "Trueblood, Craig", "Lietz, Denise"

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From: "Wurtzler, Gail" < Gail. Wurtzler@dgslaw.com > Sort List...

To: Clifford Villa/R10/USEPA/US@EPA,

Cc: <Darrell.Early@deq.idaho.gov>, "Lawrence, Robert"

<Robert.Lawrence@dgslaw.com>, <RCBYLSMA@up.com>, <GLHONEYM@up.com>,

"Gibson, Rebecca" <rebecca.gibson@dgslaw.com>, "Trueblood, Craig"

<craig.trueblood@klgates.com>, "Lietz, Denise" <denise.lietz@klgates.com>

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CONFIDENTIAL SETTLEMENT COMMUNICAITON SUBJECT TO FRE 408

Cliff,

In the current versions of the Statement of Work and the Consent Decree, the RAD Drawings are an attachment. This morning, ARCADIS advised the railroads that their schedule is to have final RAD Drawings (after EPA and State review) by May 8. That would mean that the RAD Drawings could not be attached to the Statement of Work and the Consent Decree until May 8.

We know that your goal is to lodge the Consent Decree before May. So, the railroads propose that, instead of attaching the RAD Drawings to the SOW and the CD, we identify them as a deliverable in section 4.0 of the SOW and provide a schedule in section 5.3 of the SOW for submission of draft RAD Drawings, EPA and State review of those drawings, and submission of final RAD Drawings. Please let us know if this is acceptable. Thanks.

Gail Wurtzler
Davis Graham & Stubbs LLP
1550 Seventeenth Street
Suite 500
Denver, CO 80202
(303) 892-7405
gail.wurtzler@dgslaw.com